

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. CR04-549-JLR
)	
v.)	PROPOSED FINDINGS OF
)	FACT AND DETERMINATION
DUSTIN JORDAN,)	AS TO ALLEGED
)	VIOLATIONS OF SUPERVISED
Defendant.)	RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 9, 2009. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Ye-Ting Woo, and defendant was represented by Kevin Peck. Also present was U.S. Probation Officer Donald E. Moon. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on December 12, 2005 by the Honorable James L. Robart for Possession with Intent to Distribute more than 50 kilograms of Marijuana. He received 21 months of imprisonment and 5 years of supervised release.

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PROPOSED FINDINGS OF FACT AND DETERMINATION AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE- 1

PRESENTLY ALLEGED VIOLATIONS AND
DEFENDANT'S ADMISSION OF THE VIOLATION

In a petition dated August 3, 2009, U.S. Probation Officer Donald E. Moon alleged that defendant violated the following conditions of supervised release:

1. Failing to submit truthful written reports for the months of March, April, and May 2009, in violation of standard condition number 2.
2. Possession of methamphetamine on or about August 3, 2009, in violation of standard condition number 7.
3. Possession of drug paraphernalia on or about August 3, 2009, in violation of standard condition number 7.
4. Failing to notify the probation office at least 10 days prior to a change in residence, on or before August 3, 2009, in violation of standard condition number 6.
5. Manufacturing Marijuana, in violation of 21 U.S.C. § 841(b)(1)(D), on or before August 3, 2009, in violation of a general condition.

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing on October 7, 2009 at 1:30 p.m. before District Judge James L. Robart.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 9th day of September, 2009.



BRIAN A. TSUCHIDA
United States Magistrate Judge